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Executive Order

68-1645

XR-68-253/7

20 MAR 1968 ~~68-16~~

MEMORANDUM FOR : Executive Director-Comptroller

SUBJECT : Freedom of Information Law, P.L. 89-487

REFERENCE : Memo for Deputy Director for Support
from Executive Director-Comptroller,
dated 1 February 1968, re Freedom of
Information Law

1. This memorandum is for information only.
2. In accordance with your request, the use of controlled markings Administrative - Internal Use Only and For Official Use Only to withhold information from the public under the Freedom of Information Law (P.L. 89-487) has been examined in depth. Under this law classified and certain categories or kinds of unclassified information may be withheld from the public. In the face of this law, control markings Administrative - Internal Use Only and For Official Use Only in themselves have no validity for withholding information from the public.
3. Under this law only the substantive subjects as listed below are exempted from public release. Matters that are:
 - a. specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy. This would include all information classified Top Secret, Secret or Confidential under Executive Order 10501, dated 1953;
 - b. related solely to the internal personnel rules and practices of an agency;
 - c. specifically exempted from disclosure by statute. This would include under Section 6 of the CIA Act of 1949 information concerning the organization, functions, names, official titles, salaries or numbers of personnel employed by the agency;

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downgrading and
declassification

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- d. trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- e. inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency;
- f. personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- g. investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;
- h. contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- i. geological and geophysical information and data, including maps, concerning wells.

Everything else except as listed above is subject to public release upon request under this law. However, approval for all releases must be granted by the Assistant to the Director.

4. I plan to revise appropriate regulations as necessary. Also I plan to forward to Deputy Directors and Independent Office Heads a memorandum containing the substance of this memorandum.

WALTER R. L. BANNERMAN

R. L. Bannerman
Deputy Director
for Support

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